

REAL ESTATE EXCISE TAX AFFIDAVIT

CHAPTER 82.45 RCW – CHAPTER 458-61A WAC

This form is your receipt when stamped by cashier.

PLEASE TYPE OR PRINT

THIS AFFIDAVIT WILL NOT BE ACCEPTED UNLESS ALL AREAS ON ALL PAGES ARE FULLY COMPLETED

(See back of last page for instructions)

Check box if partial sale of property

If multiple owners, list percentage of ownership next to name.

SELLER GRANTOR	1 Name <u>Milton W. Odom II and Marilyn J. Oldom Trust</u>	BUYER GRANTEE	2 Name <u>Aimee J. Farley and Jason S. Farley, 24%</u>
	Dated <u>October 1, 2015</u>		
	Mailing Address <u>13849 Grande Ronde Rd</u>		Mailing Address <u>1540 Cherry St.</u>
	City/State/Zip <u>Anatone WA 99401</u>		City/State/Zip <u>Clarkston WA 99403</u>
	Phone No. (including area code) <u>(509) 256-3377</u>		Phone No. (including area code) <u>(509) 256-3377</u>

3 Send all property tax correspondence to: Same as Buyer/Grantee

Name Milton W. Odom II and Marilyn J. Odom Trust

Mailing Address 13849 Grande Ronde Rd

City/State/Zip Anatone WA 99401

Phone No. (including area code) (509) 256-3377

List all real and personal property tax parcel account numbers – check box if personal property

<u>1-049-00-044-0000-0000</u>	<input type="checkbox"/>	List assessed value(s)
	<input type="checkbox"/>	<u>281100</u>
	<input type="checkbox"/>	
	<input type="checkbox"/>	

4 Street address of property: 1540 Cherry St., Clarkston WA 99403

This property is located in Colville

Check box if any of the listed parcels are being segregated from another parcel, are part of a boundary line adjustment or parcels being merged.

Legal description of property (if more space is needed, you may attach a separate sheet to each page of the affidavit)

See Attached Exhibit "A"

5 Select Land Use Code(s):

11 - Household, single family units

enter any additional codes: _____

(See back of last page for instructions)

	YES	NO
Was the seller receiving a property tax exemption or deferral under chapters 84.36, 84.37, or 84.38 RCW (nonprofit organization, senior citizen, or disabled person, homeowner with limited income)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
Is this property designated as forest land per chapter 84.33 RCW?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is this property classified as current use (open space, farm and agricultural, or timber) land per chapter 84.34 RCW?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is this property receiving special valuation as historical property per chapter 84.26 RCW?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If any answers are yes, complete as instructed below.

(1) NOTICE OF CONTINUANCE (FOREST LAND OR CURRENT USE)

NEW OWNER(S): To continue the current designation as forest land or classification as current use (open space, farm and agriculture, or timber) land, you must sign on (3) below. The county assessor must then determine if the land transferred continues to qualify and will indicate by signing below. If the land no longer qualifies or you do not wish to continue the designation or classification, it will be removed and the compensating or additional taxes will be due and payable by the seller or transferor at the time of sale. (RCW 84.33.140 or RCW 84.34.108). Prior to signing (3) below, you may contact your local county assessor for more information.

This land does does not qualify for continuance.

DEPUTY ASSESSOR _____ DATE _____

(2) NOTICE OF COMPLIANCE (HISTORIC PROPERTY)

NEW OWNER(S): To continue special valuation as historic property, sign (3) below. If the new owner(s) does not wish to continue, all additional tax calculated pursuant to chapter 84.26 RCW, shall be due and payable by the seller or transferor at the time of sale.

(3) OWNER(S) SIGNATURE

PRINT NAME

7 List all personal property (tangible and intangible) included in selling price.

If claiming an exemption, list WAC number and reason for exemption:

WAC No. (Section/Subsection) 458-61A-201

Reason for exemption Gift

Type of Document Gift Deed

Date of Document 1/12/16

Gross Selling Price \$	0.00
*Personal Property (deduct) \$	0.00
Exemption Claimed (deduct) \$	0.00
Taxable Selling Price \$	0.00
Excise Tax : State \$	0.00
<u>0.0025</u> Local \$	0.00
*Delinquent Interest: State \$	0.00
Local \$	0.00
*Delinquent Penalty \$	0.00
Subtotal \$	0.00
*State Technology Fee \$	5.00
*Affidavit Processing Fee \$	5.00
Total Due \$	10.00

A MINIMUM OF \$10.00 IS DUE IN FEE(S) AND/OR TAX
*SEE INSTRUCTIONS

8 I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Signature of Grantor or Grantor's Agent Milton W. Odom II

Name (print) Milton W. Odom II Trustee

Date & city of signing: 1-12-16 Lewiston ID

Signature of Grantee or Grantee's Agent Aimee Fairley

Name (print) Aimee Fairley and Jason S. Fairley

Date & city of signing: Lewiston ID 1-26-16

Perjury: Perjury is a class C felony which is punishable by imprisonment in the state correctional institution for a maximum term of not more than five years, or by a fine in an amount fixed by the court of not more than five thousand dollars (\$5,000.00), or by both imprisonment and fine (RCW 9A.20.020 (1C)).

Cox & Wagner
CR# 4687
va

EXHIBIT 'A'

All that part of Government Lots 2 and 3 of Section 8, Township 10 North, Range 46, East of the Willamette Meridian, Asotin county, Washington, more particularly described as follows: Commencing at the Southwest corner of Lot 26 of W.J. Clemans Addition to the Town of Asotin; thence West along the South line of Government Lot 2, Section 8, Township 10 North, Range 46 E.W.M. to the Southwest corner of said Government Lot 2; thence North along the West line of said Government Lot 2 to a point opposite the extended North line of Lot 28 of said W.J. Clemans Addition to Asotin; thence East along the line of the North line of said Lot 28 extended to the Northwest corner of said Lot 28, and thence Southerly along the West boundary line of Lots 26 and 28 of said W.J. Clemans Addition to Asotin to the Place of Beginning.

AND

All that portion of Government Lot 3, in Section 8, Township 10 North, Range 46 E.W.M., lying West of W.J. Clemans Addition to the Town of Asotin and North of Cherry Street, EXCEPTING therefrom that part of Government Lots 2 and 3 in Section 8, Township 10 North, Range 46 E.W.M. more particularly described as follows: Commencing at the intersection of centerlines of W.J. Clemans Addition road and Cherry Street; thence North $89^{\circ}24'$ West along the centerline of Cherry Street for a distance of 684.4 feet; thence North $0^{\circ}48'$ East for a distance of 39.46 feet to the True Place of Beginning; thence continue North $0^{\circ}48'$ East for a distance of 289.63 feet; North $18^{\circ}11'$ East for a distance of 45.30 feet; thence North $45^{\circ}16'$ East for a distance of 53.00 feet; thence South $78^{\circ}24'$ East for a distance of 104.00 feet; thence South $6^{\circ}46'$ West for a distance of 367.25 feet; thence North $89^{\circ}24'$ West for a distance of 98.95 feet; thence North $46^{\circ}39'$ West for a distance of 21.30 feet to the True Place of Beginning.

EXCEPTING THEREFROM a strip of land 25 feet wide North of the dedicated Cherry Street in Government Lot 3, Section 8, Township 10 North, Range 46, E.W.M., lying West of W.J. Clemans Addition to the Town of Asotin, Asotin county, Washington.

AND EXCEPTING THEREFROM a parcel of land located in Government Lot 3, Section 8, Township 10 North, Range 46 E.W.M. more particularly described as follows: Commencing at the intersection of W.J. Clemans Addition Road and the platted centerline of Cherry Street; thence North $89^{\circ}24'$ West along said centerline of Cherry Street for a distance of 203.1 feet to the True Point of Beginning for this description; thence continue North $89^{\circ}24'$ West for a distance of 481.39 feet; thence North $0^{\circ}48'$ East for a distance of 8.23 feet; thence North $76^{\circ}37'$ East for a distance of 69.41 feet; thence South $89^{\circ}24'$ East for a distance of 47.34 feet; thence North $6^{\circ}46'$ East for a distance of 12.19 feet; thence North $76^{\circ}37'$ East for a distance of 59.91 feet to a point of curve; thence around a curve to the right with a radius of 925.0 feet and a central angle of $19^{\circ}48'$ for a distance of 319.66 feet; thence South $7^{\circ}56'$ West for a distance of 74.92 feet to the True Point of Beginning.

ALSO EXCEPTING all that portion lying within the legal boundaries of the existing County Road.

FURTHER EXCEPTING THEREFROM that part of Government Lots 2 and 3 of Section 8 of Township 10 North, Range 46 East, W.M., Asotin County, Washington, more particularly described as follows: Commencing at the Northwest corner of Lot 26 of W.J. Clemans Addition; thence South $7^{\circ}56'$ West along the West line of said Lot 26 a distance of 125.00 feet to the True Place of Beginning; thence continue South $7^{\circ}56'$ West, 121.33 feet to a point on the North right-of-way line of Cherry Street (as per Deed No. 103145), said point being a point on a curve; thence deflect right and continue along said right-of-way line around a curve to the left with a radius of 925.00 feet for a distance of 52.09 feet; thence North $7^{\circ}56'$ East, 126.27 feet; thence South $79^{\circ}48'$ East, 52.00 feet to the True Place of Beginning.

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**REAL ESTATE EXCISE TAX
 SUPPLEMENTAL STATEMENT**
 (WAC 458-61A-304)

This form must be submitted with the Real Estate Excise Tax Affidavit (FORM REV 84 0001A for deeded transfers and Form REV 84 0001B for controlling interest transfers) for claims of tax exemption as provided below. Completion of this form is required for the types of real property transfers listed in numbers 1-3 below. Only the first page of this form needs original signatures.

AUDIT: Information you provide on this form is subject to audit by the Department of Revenue. **In the event of an audit, it is the taxpayers' responsibility to provide documentation to support the selling price or any exemption claimed.** This documentation must be maintained for a minimum of four years from date of sale. (RCW 82.45.100) Failure to provide supporting documentation when requested may result in the assessment of tax, penalties, and interest. Any filing that is determined to be fraudulent will carry a 50% evasion penalty in addition to any other accrued penalties or interest when the tax is assessed.

PERJURY: Perjury is a class C felony which is punishable by imprisonment in a state correctional institution for a maximum term of not more than five years, or by a fine in an amount fixed by the court of not more than five thousand dollars (\$5,000.00), or by both imprisonment and fine (RCW 9A.20.020 (1C)).

The persons signing below do hereby declare under penalty of perjury that the following is true (check appropriate statement):

1. **DATE OF SALE:** (WAC 458-61A-306(2))

I, (print name) _____ certify that the _____
 (type of instrument), dated _____, was delivered to me in escrow by _____
 (seller's name). **NOTE:** Agent named here must sign below and indicate name of firm. The payment of the tax is considered current if it is not more than 90 days beyond the date shown on the instrument. If it is past 90 days, interest and penalties apply to the date of the instrument.
 Reasons held in escrow _____

 Signature Firm Name

2. **GIFTS:** (WAC 458-61A-201) The gift of equity is non-taxable; however, any consideration received is not a gift and is taxable. The value exchanged or paid for equity plus the amount of debt equals the taxable amount. One of the boxes below must be checked. Both Grantor (seller) and Grantee (buyer) must sign below.
 Grantor (seller) gifts equity valued at \$ _____ to grantee (buyer).

NOTE: Examples of different transfer types are provided on the back. This is to assist you with correctly completing this form and paying your tax.

"Consideration" means money or anything of value, either tangible (boats, motor homes, etc) or intangible, paid or delivered, or contracted to be paid or delivered, including performance of services, in return for the transfer of real property. The term includes the amount of any lien, mortgage, contract indebtedness, or other encumbrance, given to secure the purchase price, or any part thereof, or remaining unpaid on the property at the time of sale. "Consideration" includes the assumption of an underlying debt on the property by the buyer at the time of transfer.

A. **Gifts with consideration**

1. Grantor (seller) has made and will continue to make all payments after this transfer on the total debt of \$ _____ and has received from the grantee (buyer) \$ _____ (include in this figure the value of any items received in exchange for property). Any consideration received by grantor is taxable.
2. Grantee (buyer) will make payments on _____ % of total debt of \$ _____ for which grantor (seller) is liable and pay grantor (seller) \$ _____ (include in this figure the value of any items received in exchange for property). Any consideration received by grantor is taxable.

B. **Gifts without consideration**

1. There is no debt on the property; Grantor (seller) has not received any consideration towards equity. No tax is due.
2. Grantor (seller) has made and will continue to make 100% of the payments on the total debt of \$ _____ and has not received any consideration towards equity. No tax is due.
3. Grantee (buyer) has made and will continue to make 100% of the payments on total debt of \$ _____ and has not paid grantor (seller) any consideration towards equity. No tax is due.
4. Grantor (seller) and grantee (buyer) have made and will continue to make payments from joint account on total debt before and after the transfer. Grantee (buyer) has not paid grantor (seller) any consideration towards equity. No tax is due.

Has there been or will there be a refinance of the debt? YES NO (If yes, please call (360) 534-1503 to see if this transfer is taxable). If grantor (seller) was on title as co-signor only, please see WAC 458-61A-215 for exemption requirements.

The undersigned acknowledge this transaction may be subject to audit and have read the above information regarding record-keeping requirements and evasion penalties.

Milton W Odom II 1/12/2016 Aimee J. Fairley and Jason S. Fairley
 Grantor's Signature Date Grantee's Signature Date
 Milton W. Odom II, Trustee Aimee J. Fairley and Jason S. Fairley
 Grantor's Name (print) Grantee's Name (print)

3. **IRS "TAX DEFERRED" EXCHANGE** (WAC 458-61A-213)

I, (print name) _____, certify that I am acting as an Exchange Facilitator in transferring real property to _____ pursuant to IRC Section 1031, and in accordance with WAC 458-61A-213. **NOTE:** Exchange Facilitator must sign below.

 Exchange Facilitator's Signature Date Exchange Facilitator's Name (print)

For tax assistance, contact your local County Treasurer/Recorder or visit <http://dor.wa.gov> or call (360) 534-1503. To inquire about the availability of this document in an alternate format, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711.

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